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August 1, 2018

Via ECF

Honorable Robert D. Drain
United States Bankruptcy Judge
United States Bankruptcy Court – SDNY
300 Quarropas Street
White Plains, NY 10601-4140

Re: EMC Hotels and Resorts LLC, Debtor
Chapter 11, USBC SDNY Case No. 18-22932 (RDD)
Request for Entry of Order for Relief and for Changes to Court's Docket

Dear Judge Drain:

I am the chapter 11 trustee of EMC Hotels and Resorts LLC, the above-referenced debtor (the “Debtor”).

It was brought to our attention that an official order for relief has not been entered in the Debtor’s case although it appears to be clear and uncontroverted from the record of this proceeding, including this Court’s order, dated July 20, 2018, converting the Debtor’s case from an involuntary case under chapter 7 to a voluntary case under chapter 11 [Docket No. 31], that the parties and this Court intended for relief to be granted to the Debtor under chapter 11 of the Bankruptcy Code effective July 20, 2018. Accordingly, we respectfully submit herewith for the Court’s consideration, a proposed “order for relief” granting relief to the Debtor under chapter 11 *nunc pro tunc* to July 20, 2018 and directing the Clerk of this Court to make the necessary corresponding changes to the Court’s docket and record of this proceeding. If the proposed order meets with Your Honor’s approval, we respectfully request that it be signed and entered.

We are available to answer any questions that the Court may have regarding the proposed order and to the extent that the Court requires a hearing on the matter, we have reserved time before the Court on August 17, 2018, at 10:00 a.m. and can, of course, make ourselves available at any other time at the Court’s convenience.

Respectfully submitted,

Fred Stevens

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